

LAW OFFICE OF KENNETH J. MONTGOMERY
P.L.L.C.
198 ROGERS AVENUE
BROOKLYN, NEW YORK 11225
PH (718) 403-9261 FAX (347) 402-7103
ken@kjmontgomerylaw.com

September 12, 2021

Via ECF

The Honorable
United States District Judge
500 Pearl Street
New York, New York 10007

RE: United States v. Kyle Mullings
Criminal Docket 19 CR 779(AKH)

Dear Judge Hellerstein:

I am writing the Court to inform your honor that at this time Mr. Mullings would like the Court to assign new counsel to represent him in the above matter. Without disclosing any information protected by attorney client privilege, I concur with Mr. Mullings request. It is my belief that there is an actual conflict between myself and Mr. Mullings and the degree of such conflict has reached a point where the differences between Counsel and Mr. Mullings are irreconcilable under *Lopez v. Scully* 58 F.3d 38 (2d. Circuit 1995). I am certain that our conflict cannot be resolved and I would join in Mr. Mullings request that the Court appoint new CJA counsel to represent Mr. Mullings at this time. Thank you for the Courts consideration at in this matter at this time.

Respectfully,

Kenneth J. Montgomery

Law Office of KJM PLLC
Attorney for Kyle Mullings
198 Rogers Avenue
Brooklyn, New York 11225

*Appointment of Counsel
is referred to the Magistrate.
AD 1. 11/10/21
9/17/2021*